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September 21, 2011

Project Manager, Vermiculite Intermountain Site
Division of Environmental Response and Remediation
DEQ
P.O. Box 144840
Salt Lake City, Utah 84114-4840

Regional Institutional Control Coordinator, EPR-SR
U.S. EPA
1595 Wynkoop Street
Denver, CO 80202

NOTICE REQUIRED BY ENVIRONMENTAL COVENANT

Re: Property located at the southwest corner of the intersection of 100 South Street and 300 West Street, in Salt Lake City, Salt Lake City County, Utah (the "Property")

Pursuant to that certain Environmental Covenant entered into by LaQuinta Corporation, the United States Environmental Protection Agency ("EPA") and the Utah Department of Environmental Quality ("DEQ"), recorded on February 20, 2008 as Instrument No. 10351643 in the records of the Salt Lake County Recorder, State of Utah, BV Gateway, LLC is hereby providing notice that it has conveyed its ownership interest in the Property, legally described in Exhibit A attached hereto. Also attached as Exhibit B is an unsurveyed plat showing the boundaries of the Property that was transferred.

BV Gateway, LLC's ownership interest in the Property was conveyed to EA Land Investment, LLC, on September 6, 2011. Attached as Exhibit C is a copy of the Special Warranty Deed evidencing the conveyance. EA Land Investment, LLC's contact information is as follows: 180 North University Avenue, Suite 820, Provo, Utah, 84601, Telephone No. (801) 841-3079, Facsimile No. (801) 655-0729.

Please contact me if you have any questions regarding this notice.

Sincerely,

Thel W. Casper

Enclosures

c: Cameron Gunter
Steven W. Farnsworth
LaQuinta Corporation c/o Ellison Stollenwerck

Exhibit A

**LEGAL DESCRIPTION
EXHIBIT "A"**

Parcel 1:

Beginning at a point 10 feet East from the Northwest corner of Lot 6, Block 66, Plat "A" Salt Lake City Survey; thence South 220 feet to North face of concrete foundation wall; thence West along North face of said wall and wall produced 7.7 feet; thence Southerly along the West face of said concrete wall and wall produced 75.95 feet to a point 4 feet North from the North facing of a 13.75 foot outside diameter concrete smokestack; thence West 5.81 feet to a point 4 feet West from the West face of said smokestack; thence South 34.05 feet to South boundary line of Lot 5, Block 66, thence East 498.51 feet to the Southeast corner of Lot 8, said block 66, thence North 156.75 feet, thence West 165 feet, thence North 8.25 feet, thence West 82.5 feet, thence North 165 feet, thence West 237.5 feet to the point of beginning.

Less and excepting therefrom that portion conveyed to Utah Power and Light Company, a Utah Corporation organized and existing under the laws of that State of Utah, as disclosed by that certain Warranty Deed recorded June 25, 1984 as Entry No. 3959294 in Book 5567 at Page 2324, Salt Lake County Recorder's Office, being more particularly described as follows:

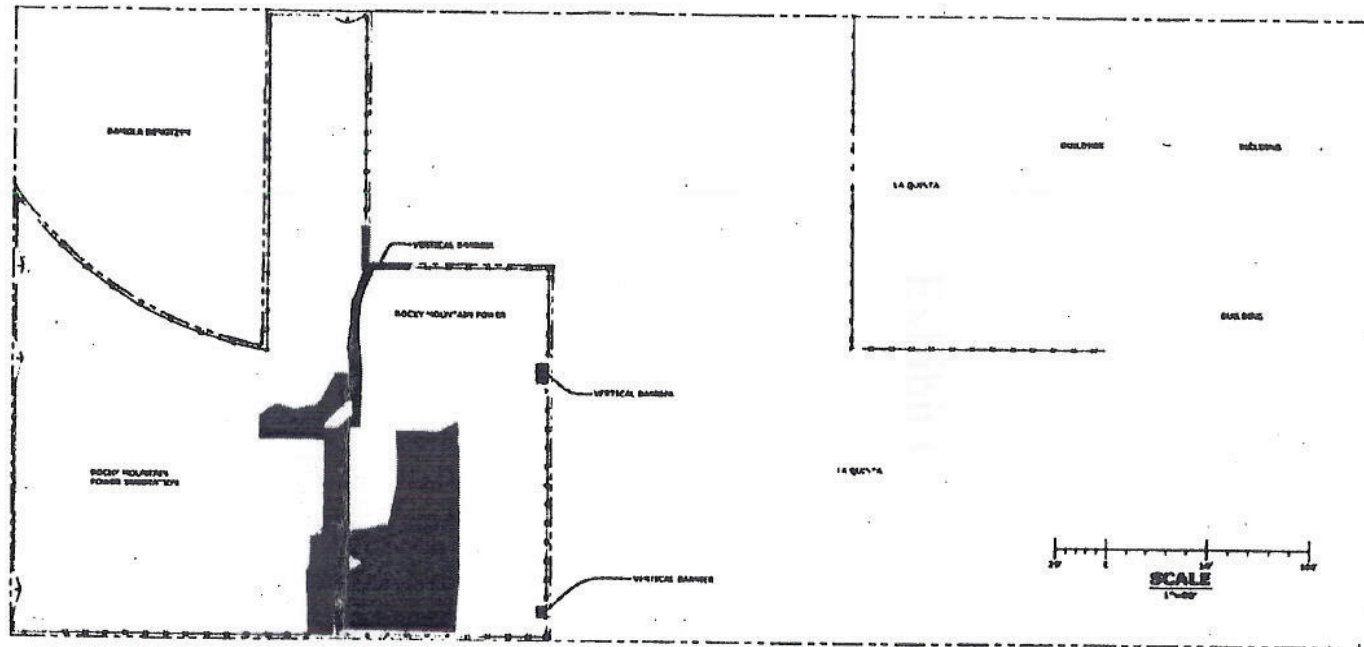
Beginning at a point which is North 89°58'22" East 10.0 feet and South 00°02'07" East 132.02 feet from the Northwest corner of Lot 6, Block 66, Plat "A" Salt Lake City Survey; said point of beginning also being North 89°58'22" East along the city monument line 243.29 feet and South 0°02'07" East 199.46 feet from the city monument at the intersection of 100 South Street and 400 West Street; thence running South 0°02'07" East 88.02 feet; thence South 89°58'22" West 7.70 feet; thence South 0°02'07" East 75.97 feet; thence South 89°58'22" West 5.81 feet; thence South 0°02'07" East 34.06 feet to a point on the South line of said Lot 5, thence North 89°58'22" East along the South line of said Lot 5 and 6, 106.38 feet to a point which is 14.90 feet South of the Southeast corner of an existing building; thence North 0°25'13" West along the East face of said building line projected, 198.05 feet; thence South 89°58'22" West 91.54 feet to the point of beginning.

Parcel 2:

Beginning at a point 243.52 feet North 89°58'21" East and 67.44 feet South 00°01'39" East and 485.28 feet North 89°58'20" East from the Salt Lake City Survey Monument found at the intersection of 100 South and 400 West Streets, said point being the Northeast corner of Lot 8, Block 66, Plat A, Salt Lake City Survey, and running thence South 00°03'19" East 173.25 feet; thence South 89°58'20" West 165.00 feet; thence North 00°03'19" West 8.25 feet; thence South 89°58'20" West 82.5 feet; thence North 00°03'19" West 165.00 feet; thence North 89°58'20" East 247.50 feet to the point of beginning.

The following is shown for information purposes only: Tax ID No. 15-01-129-026

Exhibit B



LEGEND

- PROPERTY BOUNDARY
- AREA COVERED WITH BARRIER

DATE	06/21/07	BY	M. EMMETT	PROJECT	3RD WEST SUBSTATION
PROJECT NO.	7010	BY	M. EMMETT	LOCATION	SALT LAKE CITY, UT
DESIGNED BY	PACIFICORP	BY	T. MENRIE	PROJECT	REMEDICATION PROJECT
EEC	SCALE 1"=50'	FILE NAME	781001.DWG	SHEET	1 OF 1

After recording, return to:

EA Land Investment, LLC
180 North University Ave.
Suite 820
Provo, Utah, 84601

Space is reserved for use by Recorder.

NCS-490106

SPECIAL WARRANTY DEED

BV GATEWAY, LLC, an Idaho limited liability company, whose mailing address is Post Office Box 51298, Idaho Falls, Idaho 83405, the Grantor, hereby coveys and warrants against all who claim by, through or under Grantor to EA Land Investment, LLC, whose mailing address is 180 North University Avenue, Suite 820, Provo, Utah, 84601, the Grantee, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the real property located in Salt Lake County, State of Utah, described in Exhibit "A" attached hereto.

Subject to all real property taxes and assessments, all existing patent reservations, easements, rights of way, protective covenants and matters of record, all applicable zoning ordinances, building codes, laws and regulations, all rights of tenants and other parties in possession, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property; the foregoing including but not limited to that certain Environmental Covenant, dated effective as of February 20, 2008, recorded on February 20, 2008, as Entry No. 10351643, in Book 9571, beginning on Page 8228 with the Recorder of Salt Lake County, Utah, containing the Activity and Use Limitations as set forth in Exhibit "B" attached hereto.

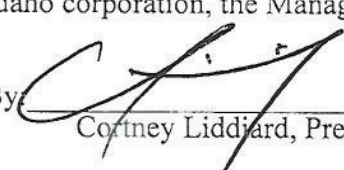
Grantor and its successors will forever warrant and defend the title to the property in Grantee and its successors and assigns against any lawful claim and demand of Grantor and any person claiming or to claim by, through or under Grantor, subject to the matters set forth above.

WITNESS the hand of Grantor effective as of September 6th, 2011.

GRANTOR:

BV GATEWAY, LLC

By: BV Management Services, Inc., an
Idaho corporation, the Manager

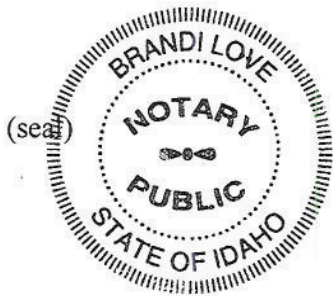
By: 
Courtney Liddiard, President

11238863
9/6/2011 2:10:00 PM \$22.00
Book - 9948 Pg - 960-965
Gary W. Ott
Recorder, Salt Lake County, UT
FIRST AMERICAN NCS
BY: eCASH, DEPUTY - EF 6 P.

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 2nd day of September, 2011, before me the undersigned, a notary public in and for said State, personally appeared Cortney Liddiard, known or identified to me to be the President of BV Management Services, Inc., which corporation is the Manager of BV Gateway, LLC, and the Manager who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that such corporation as the Manager executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Brandi Lane
Notary Public for Idaho
Residing at: Idaho Falls ID
My Commission Expires: 4-12-2014

EXHIBIT "A"

PROPERTY

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thence South 220 feet to North face of concrete foundation wall;
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thence West 5.81 feet to a point 4 feet West from the West face of said smokestack;
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thence North 0°25'13" West along the East face of said building line projected, 198.05 feet;
thence South 89°58'22" West 91.54 feet to the point of beginning.

The following is shown for information purposes only: 15-01-129-032

Parcel 2:

Beginning at a point 243.52 feet North 89°58'21" East and 67.44 feet South 00°01'39" East and 485.28 feet North 89°58'20" East from the Salt Lake City Survey Monument found at the intersection of 100 South and 400 West Streets, said point being the Northeast corner of Lot 8, Block 66, Plat A, Salt Lake City Survey, and running thence South 00°03'19" East 173.25 feet;
thence South 89°58'20" West 165.00 feet;
thence North 00°03'19" West 8.25 feet;
thence South 89°58'20" West 82.5 feet;
thence North 00°03'19" West 165.00 feet;
thence North 89°58'20" East 247.50 feet to the point of beginning.

The following is shown for information purposes only: 15-01-129-033

that constitutes an emergency situation or may present an immediate threat to public health or welfare or the environment prevents Owner from complying with the requirements of this paragraph, Owner shall notify EPA and DEQ of the situation and any responsive actions simultaneously with the identification of the emergency and determination of need for immediate action.

- b. Existing Asbestos Regulations – The federal government and the State of Utah have regulations regarding asbestos worker certification and asbestos work practices. These rules generally apply to “asbestos containing material” (“ACM”) which means any material containing more than one percent asbestos, according to the definition set forth in the regulations. Owner must address all releases of amphibole asbestos, even those below a 1% concentration. Any activity at the Property which impacts the cap should be conducted, at a minimum in compliance with the regulations. The Owner shall notify the Utah Division of Air Quality Asbestos Program of any asbestos-related work practices.
- c. Worker Health and Safety – the U.S. Occupational Safety and Health Administration (“OSHA”) has regulations for workers exposed to asbestos, including permissible exposure limits (“PELs”), employee notification, monitoring methods, etc. The OSHA regulations state that the employer shall ensure that no employee is exposed to an airborne concentration of asbestos in excess of 0.1 fibers per cubic centimeter of air as an eight (8)-hour time-weighted average (“TWA”) as determined by the method prescribed in the regulations. Any activity at the Site which triggers the OSHA regulations should be conducted in compliance with the regulations. Soils at the Site which contain detectable amphibole asbestos at trace levels less than 0.2 percent could generate airborne concentrations of amphibole asbestos that are potentially hazardous when disturbed. Owner is required to keep worker exposures to amphibole asbestos at the Site to an absolute minimum, even if the OSHA regulations are not triggered. This includes requiring respiratory protection, employee training, engineering controls (e.g., wetting or containment), air monitoring, etc., if soils below a cap are to be disturbed, unless Owner can show, using EPA-approved amphibole asbestos analytical methods, that the soils are non-detect for such asbestos.
- d. Receptors near the Site – Owner must take steps to ensure that persons near the Site are not exposed to amphibole asbestos during any activity that disturbs the cap. Any workplan for a proposed project should describe how this will be accomplished with activities including, but not limited to, engineering controls, EPA-approved amphibole asbestos analytical methods, air monitoring, and restricting access to the Site.
- e. Decontamination – The workplan should describe decontamination procedures and adequately delineate workzones and decontamination zones for any proposed project. Decontamination must be considered for workers, equipment, vehicles, or any other thing that enters into the work zone. The workplan should also address the collection and disposal of decontamination water.

- f. Handling, Transport, and Disposal – Any activity that may possibly disturb the amphibole asbestos that remains underneath the cap must not re-contaminate the ground surface or nearby buildings. Procedures must be established and described in the workplan for preventing emissions from any amphibole asbestos-contaminated soils as they are excavated and transported for disposal. Contaminated soils, clothing, and other amphibole asbestos-contaminated waste should be containerized and treated as ACM. The materials should be transported to, and disposed of, as ACM at a landfill permitted to receive ACM.
- g. Experienced Workers – Any activity that will disturb the cap must be conducted by workers experienced with outdoor asbestos cleanups, preferably workers experienced in cleaning up amphibole asbestos contamination. Depending on the scope of the proposed project, utilizing inexperienced workers may be a cause for rejecting the workplan.
- h. Owner shall pay DEQ for oversight and review in accordance with DEQ's fee schedule.